IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.55327 of 2007
RUPESH KUMAR
Versus
STATE OF BIHAR

03/ 12.05.2008 Heard learned counsel for the petitioner, learned counsel for the State and learn counsel for the informant.

Petitioner is an accused for offence punishable under sections 302 and 201/34 of the Indian Penal Code.

WEB COPY NOT OFFICIAL

Learned counsel for the petitioner submits that the petitioner is the husband of the deceased and has been falsely implicated. He further submits that according to the informant himself, who happens to be the father of the deceased, the deceased along with her parents had gone to see a girl for the purpose of marriage, in which the deceased was a mediator and she was sent to her matrimonial house by them and on 3.5.2007 the informant got information that she was killed by the petitioner and other accused persons. He also submits that the entire allegation that the petitioner had a quarrel with the deceased is falsified by the first information report itself and furthermore there is no evidence at all that the petitioner had assaulted the deceased. He also states that the deceased died due to ailment during treatment of a Doctor, whose certificate dated 03.05.2007 is annexed to this petition as Annexure 2. He also

avers that the petitioner is in custody since 10.05.2007.

On the other hand, learned counsel for the informant vehemently opposes the contention of learned counsel for the petitioner and submits that the certificate of the doctor is collusively procured and it was the petitioner and the accused persons, who have done away with his daughter.

Considering the facts and circumstances, this petition for bail is allowed. Accordingly, let the sole petitioner, namely Rupesh Kumar be admitted to bail on executing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Haspura P.S. Case No. 34 of 2007

WEB COPY
NOT OFFICIAL

MPS/ **(S. N. Hussain, J.)**